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Attorneys for Defendant

COSTCO WHOLESALE CORPORATION

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

PATRICIA CECILE MCCAY, an Individual,

Case No. 2:24-CV-01848-DMC

Plaintiff,

vs.

**STIPULATION FOR DIMISSAL
[FRCP 41(A)]; AND ORDER OF
DISMISSAL**

COSTCO WHOLESALE CORPORATION,
and DOES 1-100, inclusive

Defendants.

COSTCO WHOLESALE CORPORATION,

Third-Party Plaintiff,

vs.

W.L. BUTLER CONSTRUCTION, INC., MG2
CORPORATION, O'GRADY PAVING, INC.,
GARCIA STRIPING, INC., RUBBERFORM
RECYCLED PRODUCTS, LLC, and ROES 1-
25,

Third-Party Defendants.

The parties, by and through their respective counsel, hereby stipulate that COSTCO WHOLESALE CORPORATION's Third Party Complaint shall be dismissed without prejudice as to Third-Party Defendant W.L. BUTLER CONSTRUCTION, INC. only. This dismissal includes all claims for relief and causes of action of any kind with respect to Third-Party Defendant W.L. BUTLER CONSTRUCTION, INC., and the parties further stipulate that Third-Party Defendant W.L. BUTLER CONSTRUCTION, INC. is to bear its own costs and attorneys' fees, if any.

Date: August 7, 2025

JONES & DYER

By: /s/ Monika D. Troike
MONIKA D. TROIKE
Attorneys for Defendant
COSTCO WHOLESALE
CORPORATION

Date: August 13, 2025

ADAMSON AHDOOT LLP

By: /s/ Daniel M. Stefanic
DANIEL STEFANIC, ESQ.
Attorneys for Plaintiff
PATRICIA CECILE MCCAY

Date: August 7, 2025


RANKIN, SHUEY, MINTZ,
LAMPASONA & HARPER

By: /s/David T. Shuey
DAVID TODD SHUEY
Attorneys for Defendant
W. L. BUTLER CONSTRUCTION,
INC.

///


1 Date: 8/7/25

YANG PROFESSIONAL LAW
CORPORATION

2
3 By: 
4 REY S. YANG, ESQ.
5 STEPHANIE GUERRA
6 Attorneys for Third-Party Defendant
7 MG2 CORPORATION

8 Date: August 21, 2025

BURNHAM BROWN

9
10 By: 
11 RAYMOND A. GREEN, III
12 WILLIAM K. BLISS
13 Attorneys for Third-Party
14 Defendant/Third-Party Cross-Defendant
15 RUBBERFORM RECYCLED
16 PRODUCTS, LLC

17 Date:

LAW OFFICE OF PATRICK J. CAMPBELL

18 By: _____
19 DAN KIM
20 Attorneys for Third-Party Defendant
21 GARCIA STRIPING INC.

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1 Date:

YANG PROFESSIONAL LAW
CORPORATION

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4 By: _____

REY S. YANG, ESQ.
STEPHANIE GUERRA
Attorneys for Third-Party Defendant
MG2 CORPORATION

5
6
7
8 Date:

BURNHAM BROWN

9
10 By: _____

RAYMOND A. GREEN, III
WILLIAM K. BLISS
Attorneys for Third-Party
Defendant/Third-Party Cross-Defendant
RUBBERFORM RECYCLED
PRODUCTS, LLC

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14
15 Date: August 8, 2025

LAW OFFICE OF PATRICK J. CAMPBELL

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17
18 By:  _____

DAN KIM
Attorneys for Third-Party Defendant
GARCIA STRIPING INC.

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ORDER OF DIMISSAL

Pursuant to the stipulation of the parties under Federal Rule of Civil Procedure 41(a)(1)(ii), IT IS ORDERED THAT Third-Party Defendant W.L. BUTLER CONSTRUCTION, INC. BE, AND HEREBY IS, DISMISSED WITHOUT PREJUDICE as to all claims, causes of action, and parties, with Third-Party Defendant W.L. BUTLER CONSTRUCTION, INC. bearing that party's own attorney's fees and costs.

Dated:

TROY L. NUNLEY
UNITED STATES CHIEF DISTRICT JUDGE

Patricia Cecile McCay v. Costco Wholesale Corporation
Eastern District Case No. 2:24-CV-01848-DMC

PROOF OF SERVICE

CCP Sections 1013a, 2015.5 and Rules of Court, Rule 2008

I, Ashley Velasquez, declare as follows:

I am over the age of 18 and not a party to this action.

I am a resident of or employed in the county where the mailing occurred; my business address is: **3031 F Street, Suite 101, Sacramento, CA 95816.**

On August 21, 2025, I served the parties indicated on the attached Service List the foregoing document(s) described as:

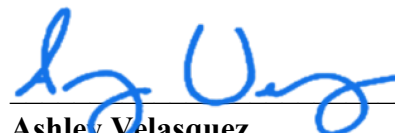
STIPULATION FOR DIMISSAL [FRCP 41(A)]; AND ORDER OF DISMISSAL

- ☐ **(by mail)** I deposited such envelope in the mail at Sacramento, California with the postage thereon fully prepaid. I am aware that on the motion of the party served, the service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ **(by overnight delivery)** by placing the document(s) listed above in a sealed envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a collection box at Sacramento, California, and addressed as set forth below.
- ☐ **(by personal service)** I caused such envelope to be delivered by hand via messenger service to the address above;
- ☒ **(by electronic service)** on all parties by transmitting said document(s) from our offices by e-mail (support@jonesdyer.com) to e-mail addresses shown on the attached Service List.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury the laws of the State of California that the foregoing is true and correct.

DATED: August 21, 2025


Ashley Velasquez

Patricia Cecile McCay v. Costco Wholesale Corporation
Eastern District Case No. 2:24-CV-01848-DMC

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Party Cross-Defendant RUBBERFORM
RECYCLED PRODUCTS, LLC***

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***Counsel for Third-Party Defendant GARCIA
STRIPING INC.***